

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KENNETH GAYNOR, *et al.*,)
)
Plaintiffs,)
)
v.) No. 3:15-CV-545-TAV-CCS
)
DELOY MILLER, *et al.*,)
)
Defendants.)

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is the Underwriter Defendants' Motion for Withdrawal of Counsel and Entry of Appearance of Substitute Counsel [Doc. 124].¹ The Motion requests that the Court permit the withdrawal of Attorneys Steven Farina, Margaret Keeley, Amanda MacDonald, and Katherine Turner and the law firm of Williams & Connolly, LLP, and allow Attorneys S. Lawrence Polk, Stacy MacGavin Mohr, and Melissa Fox and the law firm of Eversheds Sutherland LLP to be substituted as lead counsel. The Motion explains that the Underwriter Defendants have retained the services of Eversheds Sutherland LLP and no longer need the services of Williams & Connolly, LLP. Further, the Motion asserts that Attorneys W. Brantley Phillips, Jr., Jeffrey P. Yarbro and Shayne R. Clinton and the law firm of Bass, Berry & Sims PLC will remain as co-counsel for the Underwriter Defendants. The Motion states that the Underwriter Defendants have consented to

¹ The Underwriter Defendants include MLV & Co. LLC, Maxim Group, LLC, National Securities Corporation, Aegis Capital Corp., Northland Capital Markets, Dominick & Dickerman, LLC (f/k/a Dominick & Dominick LLC), Ladenburg Thalmann & Co., Inc., and I-Bankers Securities, Inc.

the withdrawal and substitution of lead counsel. Finally, the Motion explains that Plaintiffs will not be prejudiced by the substitution of counsel because the substitution will have no impact on the Court's Scheduling Order.

Because continuity of counsel is ensured, the Court finds the Underwriter Defendants' Motion for Withdrawal of Counsel and Entry of Appearance of Substitute Counsel [**Doc. 124**] well taken, and it is **GRANTED**. *See also* E.D. Tenn. L.R. 83.4(f) ("Where a party is represented by multiple counsel of record, an attorney may withdraw, provided the party is still being represented by another attorney of record, upon the filing of a *notice* of withdrawal.") (Emphasis added). Attorneys Steven Farina, Margaret Keeley, Amanda MacDonald, and Katherine Turner and the law firm of Williams & Connolly, LLP are **RELIEVED** of their duties as counsel in this matter, and Attorneys S. Lawrence Polk, Stacy MacGavin Mohr, and Melissa Fox and the law firm of Eversheds Sutherland LLP are hereby **SUBSTITUTED** as counsel of record for the Underwriter Defendants. Attorneys W. Brantley Phillips, Jr., Jeffrey P. Yarbro and Shayne R. Clinton and the law firm of Bass, Berry & Sims PLC will remain as co-counsel for the Underwriter Defendants.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge